

REMARKS**1. Summary of the Office Action**

In the Office Action the Examiner rejected claims 44 and 51 under 35 USC § 112 as failing to meet the written description requirement. The Examiner also rejected claims 34-35 and 37-38 under § 112 as lacking antecedent basis. The Examiner rejected claims 31, 33, 36, 39-43 and 45 under 35 USC § 102 as being anticipated by Woundy (US Patent 6,009,103). In addition, the Examiner allowed claims 46-50, and 52, and indicated that claim 32 would be allowed if written in independent format including all of the limitations of the base claim and any intervening claim. In the above amended claims, claims 31, 39, and 46 are independent.

2. Response to Rejections

Applicants have amended the specification to state that one preferred embodiment of the invention involves using a lease time of less than ten seconds. Support for this amendment is provided by originally filed claims 14 and 20, which at the time of filing, indicated that the Applicants regarded embodiments with such a lease time to be in their possession. Applicants therefore traverse the rejection of claims 44 and 51 with respect to the written description rejection.

Applicants have amended claim 31 to include the elements of claim 32, which the Examiner indicated would be allowable. Applicants have also amended claims 34, 35, 37 and 38 to address the Examiner's §112 concern. Thus, claim 31 and its dependent claims 33-38 are in condition for allowance.

With regard to claim 39, Applicants respectfully traverse the rejection. The Woundy reference relied upon by the Examiner does not appear to include the claim element of "determining

whether a connection can be made to a configuration protocol server...". The sections of Woundy cited by the Examiner relate to actions being performed by the DHCP server in response to a discover message. Because Woundy relates to communications with a DHCP server and actions taken by the server, it therefore cannot anticipate claims directed to actions taken when a connection cannot be made to a configuration protocol server. Applicants respectfully submit, that for at least this reason, claim 39 and claims 40 through 45 depending therefrom are not anticipated and are allowable.

The Examiner has indicated that claims 46-50 and 52 are allowable. Applicant has amended the specification to address the Examiner's concerns with respect to claim 51, and thus submits that claims 46-52 are in condition for allowance.

3. Conclusion

The Applicants submit that the application is in good and proper form for allowance and respectfully request the Examiner to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at 312-913-3305.

Date: 12/29/05

By: 

Respectfully submitted,
McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP

Robert J. Irvine III
Registration No. 41,865